

Appendix B

Sevenoaks District Council

Schedule of Minor Amendments to the Core Strategy

May 2010

Schedule of Minor Amendments to the Core Strategy

The following schedule contains a minor amendments the Council proposes, taking account of representations made during the deposit period, to provide clarification and correct drafting errors.

In setting out the amendment new text is in italics, text to be deleted is struck through and text that is unchanged but included to show context is in normal type.

Section	Para no.	Amendment	Reason
Spatial Vision	3.2.13	Add " <i>Gypsy and Traveller Study 2006</i> " to the list of studies	To correct an omission in the published list
	3.2.18	Amend Issue 3 and the following sentence as follows: “Protecting <i>Conserving and enhancing</i> the high quality of the natural and built environment. “Sevenoaks has a legacy of high quality landscapes and historic features, which need to be protected <i>and appropriately managed</i> for future generations.”. Amend the second sentence of text after Issue 6 as follows: “The high quality of the rural environment needs to be maintained <i>conserved and enhanced</i> while at the same time...”	To recognise the role of positive management in protecting the environment
	3.4.1	Amend first Rural Areas objective as follows: “To support new housing in local service centres <i>and service villages</i>	To clarify the extent of the objective

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		of a design, scale, character and tenure appropriate to the settlement and support the <i>provision and retention</i> of services and facilities...”	
PC 1 Location Policies	4.3.13	Add new sentence at end of paragraph after bullet points: <i>“The development of the site is subject to confirmation by means of a transport assessment that the transport impact on M25 Junction 3, taking account of mitigation measures, is acceptable. Proposals for the site having regard to these considerations will be set out in the Allocations DPD.”</i>	To take account of Highways Agency comments.
	4.3.11, and 4.3.20	Para 4.3.11: Amend to read: <i>“The development of a hotel in the town offers potential benefits for the local economy and will be supported with preference being given to a town centre location. Planning permission has now been granted for a hotel on the western side of the town.”</i> Para 4.3.20: Add new sentence at end: <i>“If the hotel development permitted on the western side of town goes ahead the continued case for a hotel development in the town centre will be reviewed through the Allocations DPD.”</i>	To take account of the decision after publication to grant permission for a hotel development.
PC 2	4.3.16	Delete part of the last sentence and replace with: <i>“There is significant scope for development within the area of the centre to achieve regeneration objectives and the Council sees no need to expand the physical extent of the town centre. The Allocations DPD will define the boundary of the redevelopment proposals. The expansion of town centre development onto the</i>	To clarify the role of the Allocations DPD and the circumstances in which some expansion of the town centre area may be acceptable.

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		<i>adjoining open space to the south west will only be acceptable if it is demonstrated through the preparation of detailed proposals to be necessary to ensure the delivery of a regeneration scheme that enhances the vitality and viability of the town centre and meets the requirements of Policy LO5. In such circumstances provision would need to be made for the enhancement of the remaining open space and the off site replacement of equivalent value to the community of any facilities lost."</i>	
PC 3	4.5.20a	Add new paragraph after 4.5.20: <i>"In February 2010 Glaxo Smith Kline announced its intention to close the site at Leigh, where it is the sole occupier. The Council will work with the current and prospective future occupiers to achieve a suitable future use of the site within the policy framework provided by the Core Strategy and PPG2 guidance on Major Developed Sites. This may involve the preparation of a Planning Brief as a supplementary planning document to guide future redevelopment."</i>	To take account of the decision by Glaxo Smith Kline to close the site which was not anticipated when the Core Strategy was finalised.
	Policy LO8	Amend last sentence of second paragraph to read: <i>"The distinctive character of the Kent Downs and High Weald Areas of Outstanding Natural Beauty will be maintained conserved and enhanced."</i>	To recognise the duty to conserve and enhance.
PC 4 Strategic Policies	5.1.1	Amend the penultimate sentence to read: <i>"A key responsibility of the plan is to ensure their continued protection, <i>conservation and enhancement.</i>"</i>	To recognise the duty to conserve and enhance.
	Policy SP1	Amend the start of the final paragraph to read:	To clarify that the policy applies to

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		“The District’s heritage assets <i>and their settings</i> , including listed buildings...”.	the setting of heritage assets.
	Policy SP2	Amend reference to sustainable drainage systems in point 2 to read: “and must include the incorporation of <i>incorporate</i> sustainable drainage systems (SUDS) <i>where practical together with arrangements to secure their long term maintenance.</i> ” Amend point 5 (Lines 2 to 4) to read: “and will support small scale and community-based renewable energy developments that, where relevant, where such development does not adversely affect...”	To clarify requirements of the policy (point 2) and to correct a typing error (point 5)
	Policy SP6	Amend references in the policy to “travelling show people” to “ <i>travelling showpeople</i> ”	To correct a typing error
	5.5.5	Amend the first sentence to read: In addition to these ‘critical’ infrastructure schemes, providers have identified a range of improvements that they consider will serve the proposed development and overcome existing deficiencies but that have not been sufficiently demonstrated <i>which are not considered</i> to be critical to the delivery of the Core Strategy.	First amendment is to correct a typing error. Second amendment is to clarify the Council’s approach to judging the criticality of infrastructure schemes.
	5.5.5	After the first sentence amend wording to read: <i>The considerations that the Council have taken into account in</i>	To clarify the implications of Policy SP9.

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		<p><i>making judgements about the criticality of infrastructure improvements are set out in the Infrastructure Delivery Schedule. SDC consider it appropriate that developers make a contribution towards necessary infrastructure improvements and community facilities that are proportionate to the impact of development and meets the tests of CIL Regulation 122 (see para 5.5.8). The Council do not consider that the assessment of a scheme as critical is a necessary prerequisite for the seeking of developer contributions. Both those schemes considered critical and not critical to support the scale and distribution of development proposed in the Core Strategy are set out in the Infrastructure Schedule.</i></p>	
	5.5.8	<p>Amend the first, second and third sentences to read:</p> <p>Government policy on the use of planning obligations is set out in Circular 05/05 and part 11 of the Community Infrastructure Levy Regulations 2010. The circular Regulation 122 of the CIL Regulations 2010 sets out five <i>three</i> tests which should be met in order to ensure that the seeking of planning obligations is legitimate <i>legal</i>. These tests include <i>are</i> ensuring that planning obligations are ‘necessary to make the proposed development acceptable in planning terms’, ‘<i>directly related to the development</i>’ and to be ‘fairly and reasonably related in scale and kind to the proposed development’.</p>	Factual change to ensure that the supporting text of the Core Strategy reflects national policy.
	5.5.11	<p>Amend the paragraph to read:</p> <p>In July 2009 <i>April 2010</i>, the Government consulted on published detailed proposals and draft regulations for introduction and operation of the Community Infrastructure Levy (CIL), which would empower, but <i>do not</i> require local planning authorities to charge developers a standard, locally set, sum for local and sub-regional infrastructure,</p>	Factual change to ensure that the supporting text of the Core Strategy reflects national policy.

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		dependent on the type and character of development. In order to implement CIL, local authorities would be <i>are</i> required to produce a charging schedule setting out the rates that developers would be <i>are</i> required to pay, which would then be <i>is</i> subject to independent examination.	
	5.5.12	<p>Amend paragraph to read as follows:</p> <p>Currently the Council does <i>not</i> consider that the level of investment in infrastructure required to support development in Sevenoaks District warrants the introduction of CIL. However, the consultation document stated that Government is considering restrictions on the use of planning obligations (para 24) CIL Regulations place limits on the use of pooled contributions secured through planning obligations from April 2014 (Regulation 123). If Government were to propose to introduce such restrictions that infrastructure necessary to support development in Sevenoaks District could not be secured in any other way <i>If, through consultation with infrastructure providers, it was deemed necessary to introduce CIL to secure infrastructure improvements necessary to support development in Sevenoaks District, the Council's Infrastructure Delivery Plan and proposed Developer Contributions SPD would be used to develop a CIL charging schedule.</i></p>	To correct a typing error in the first sentence and then to update the Council's position following the publication of the CIL Regulations, consistent with that set out in the Core Strategy: Draft for Submission.
	5.6.7 and 5.6.8	<p>5.6.7: Amend the second and third sentences to read:</p> <p><i>"In Sevenoaks District land identified through the Open Spaces Study will form a key input as will accessible open spaces in the countryside. Land of biodiversity value will also be a key input, including Biodiversity Opportunity Areas that have been defined for Kent based on the South East England Biodiversity Strategy and the Kent Biodiversity Action Plan. The Green Infrastructure Network will</i></p>	To clarify the comprehensive nature of the Green Infrastructure network

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		<p>include consideration of possibilities for strengthening linkages between open spaces and potential wildlife corridors, including links between urban and rural open spaces <i>linking open spaces within urban areas, open spaces connecting urban and rural areas and open spaces within rural areas.</i></p> <p>5.6.8: Amend first sentence to read:</p> <p>“The Green Infrastructure Network will be developed through the Allocations DPD which will identify areas of value for <i>biodiversity</i>, open space and recreation...”.</p>	
	Policy SP10	<p>Delivery Mechanisms: Amend first sentence to read:</p> <p>“The Allocations DPD will set out proposals for the Green Infrastructure Network which will include <i>areas of value for biodiversity, opportunities and locations for biodiversity enhancement (including creation of new habitats) taking account of defined Biodiversity Opportunity Areas</i>, open space sites identified for retention under the policy, new areas of open space taking account of the findings of the Open Spaces Study, <i>opportunities for linking open spaces and areas of biodiversity value to improve connectivity for people and wildlife and targets for implementation and proposals for effective long term management of sites forming part of the network.</i>”</p>	To clarify the comprehensive nature of the Green Infrastructure network
	5.7.4	<p>Amend second sentence to read:</p> <p>“New development, whether on brownfield or Greenfield sites, gives the opportunity to create or restore areas of biodiversity, based on the priority habitats and species set out in the National and Kent Biodiversity Action Plans (BAPs) <i>and on Biodiversity Opportunity</i></p>	To add a reference to Biodiversity Opportunity Areas

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		<i>Areas that have been defined for Kent</i>	
	Policy SP11	<p>Delivery Mechanisms: Amend second paragraph to read:</p> <p>“The Allocations DPD and planning briefs, where relevant, will provide site specific guidance on the maintenance and enhancement of biodiversity on new development sites <i>taking account of biodiversity guidance in Kent Design which has been adopted by the Council as a Supplementary Planning Document.</i>”</p>	To cross refer to existing adopted guidance.
Appendix 4: Infrastructure Delivery Schedule	Introductory Text	<p>After the first sentence, insert:</p> <p>As a result of the infrastructure engagement process, a number of infrastructure improvements have been categorised as being critical to the delivery of the LDF Core Strategy. Whether or not an infrastructure improvement is considered critical to the delivery of the LDF Core Strategy is based on a judgement as to what extent the improvement is required as a result of new development or as a result of existing deficiencies and consideration of the situation if the infrastructure improvement were not made but development went ahead. The judgement takes account of the evidence available to the Council about the existing capacities and current usage of infrastructure, the likely increase in population as a result of development and the likely increase in usage of facilities. This includes KCC’s strategy based population forecasts (September 2009), which show a very modest population increase in Sevenoaks District in the period 2006 – 2026.</p> <p>SDC consider it appropriate that developers make a contribution towards necessary infrastructure improvements and community facilities that are proportionate to the impact of development and</p>	To set out the criteria taken into account in assessing the criticality of a scheme and to clarify the implications of Policy SP9.

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		meets the tests of CIL Regulation 122 (see para 5.5.8). The Council do not consider that the assessment of a scheme as critical is a necessary prerequisite for the seeking of developer contributions.	
Appendix 4: Infrastructure Delivery Schedule	Tables: Implications for the LDF column for all rows except 1.8, 1.9, 2.1, 4.1, 9.1, 9.2, 9.3, 9.4, C1.1, C1.2, C1.3	<p>In the 'Implications for the LDF' column of the schedule, in all instances where it appears, replace:</p> <ul style="list-style-type: none"> • 'Delivery of the Core Strategy is not considered to be dependent upon delivery of this scheme'; • 'It has not been demonstrated that delivery of the Core Strategy is dependent upon delivery of these schemes'; <p>With 'This scheme is not considered critical to delivery of the scale and distribution of development in the Core Strategy'.</p>	For clarification. Current wording refers to the Core Strategy being, or not being, 'dependent' on schemes. The term that has been defined elsewhere is 'critical'.
Appendix 4: Infrastructure Delivery Schedule	Tables: Implications for the LDF column for rows 6.1, 6.2, 6.3, 6.4	Replace reference to SP11 with reference to SP10	To correct a typing error.